

**IN THE CIRCUIT COURT OF THE 22<sup>ND</sup> JUDICIAL CIRCUIT  
McHENRY COUNTY, ILLINOIS**

IN RE THE MATTER OF PROCEDURES IN	)	Effective October 5, 2020
COURTROOM 301, CRIMINAL DIVISION,	)	
PURSUANT TO THE CONTINUITY OF	)	<b>Courtroom 301, Criminal Division</b>
OPERATIONS COVID-19 PROTOCOLS	)	Revised <u><b>Standing Order 2020-01</b></u>

**STANDING ORDER**

**WHEREAS**, the Corona Virus known as COVID-19 has caused the 22<sup>nd</sup> Judicial Circuit to modify its operations; and

**WHEREAS**, the Illinois Supreme Court entered an Order on May 20, 2020, authorizing each court to return to hearing court matters on June 1, 2020, whether in person or remotely, according to a schedule to be adopted for each county by the chief judge in each circuit; and

**WHEREAS**, the Illinois Supreme Court directed chief judges to consider the *Supreme Court Guidelines for Resuming Illinois Judicial Branch Operations during COVID 19* pandemic; and

**WHEREAS**, this Circuit's Chief Judge entered Administrative Order 2020-11 authorizing and directing the Court, effective June 1, 2020, to begin hearing all matters in a manner procedurally consistent with the Circuit's *Continuity of Operations Reestablishment Plan*; and

**WHEREAS**, said Administrative Order states, in part, "Litigants, attorneys, or others may remove their face covering or mask when they are directed to do so by the judge presiding. Judges shall exercise their discretion whether to wear a face covering or mask while conducting court proceedings;" and

**WHEREAS**, the 22<sup>nd</sup> Judicial Circuit's *Continuity of Operations Reestablishment Plan* incorporates guidelines to operate virtual courtroom proceedings since the use of such proceedings, when possible, is a practical solution for the court to operate in a safe and efficient manner; and

**THEREFORE**, Judge Tiffany E. Davis, presiding judge of Courtroom 301, orders that certain proceedings in Courtroom 301 shall be conducted as follows:

1. All persons entering Courtroom 301 shall wear a face mask or face covering. Pursuant to the Chief Judge's Administrative order, the Judge shall exercise his or her discretion on whether or not to wear a face covering or mask while conducting court proceedings.

2. Jurors shall wear masks or face coverings unless or until permitted to remove them as directed by the Court during voir dire or while addressing the Court.
3. Witnesses shall wear masks or face coverings unless or until permitted to remove them as directed by the court during testimony.
4. Attorneys may remove masks or face coverings, at the discretion of the court, *when conducting voir dire, during the examination of witnesses, and during arguments as long as they properly maintain social distancing of 6 feet or greater from others*. Attorneys shall wear a mask when approaching witnesses.
5. Courtroom 301 accommodates seating of 6 socially distanced persons. Said seating is available on a first come first serve basis. In order to minimize the number of people in the courtroom at a given time, the Court Security Officers shall direct persons appearing in person to wait in the hallway while properly socially distanced if no seating is available in the courtroom.
6. Attorneys, litigants, witnesses, and members of the public appearing in-person shall maintain appropriate social distancing of six feet whenever practicable.
7. A cap may be set by the Judge or the clerk's office on the number of cases set for plea or status on any given court date.
8. Defendants *shall* appear in-person in court and not remotely for all critical stages of the proceedings, to include pleas and for all evidentiary hearings, trials, or sentencings.
9. With a properly executed "Waiver of in Court Appearance," the Court, in its discretion, will allow a properly admonished defendant to enter into a fully negotiated plea to a petty offense remotely via Zoom.
10. In cases set for "status" only, the defendant's in-person court appearance may be waived for *good cause shown* provided the defendant appears remotely via Zoom.
11. The Court will otherwise continue to exercise discretion on whether or not to waive the defendant's appearance on subsequent court dates.
12. Attorneys may appear remotely on cases set for status trial date or for non-evidentiary hearings on motions involving argument only without testimony (example, request to travel outside of Illinois).

13. To appear remotely in CR 301, you may use the below link:  
<https://zoom.us/my/mchenrycourtroom301> or the Meeting Identification Number:  
261 291 6349 at the appropriate court time, either 9:30 am for criminal matters or 2:00  
pm for McHenry County ordinance violations.
14. The Court will first hear cases of attorneys and litigants timely appearing in-person. The  
Court will then hear the cases of those appearing remotely at 9:30 am for criminal  
misdemeanor cases and 2:00 pm for McHenry Ordinance Violations.

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Circuit Judge Tiffany Davis

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Dated